IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4563 OF 2004

Shri Rajesh Kanhaiyalal Dawani & Anr. .. Applicants.

V/s.

The State of Maharashtra .. Respondent.

Shri M.S. Mohite with S.V.Kotwal for Applicants.
Shri S. R. Shinde, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 25.10.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

. The prosecution case is that complainant-Shankar Rajani was beaten mercilessly and in the process his clothes were torn and after that he was shaved and a board mentioning "Main Chor Hoon" was tied around his neck and he was paraded as such. The materials collected thus indicate that said Shankar was paraded in the manner suggested in the information report. However, the case of the prosecution that Shankar was mercilessly beaten by iron rod is not supported by the injury certificate. The applicants

must have over reacted on the issue. However, taking all the attending circumstances into account, the applicants deserve to be enlarged on anticipatory bail on following conditions :-

The Applicants are enlarged on anticipatory bail in connection with C.R.No. I- 192/2004, registered with Ulhasnagar Police Station, Dist. Thane on executing personal bond in the sum of Rs. 25,000/- (Rs. Twenty -five thousand only) each with two local sureties in the like amount.

The Applicants shall not enter the jurisdiction of the Ulhasnagar Police Station till the investigation is completed and chargesheet is filed, except to attend the office of the investigating officer as and when required.

The applicants shall inform their place of residence to the investigating officer within one week from today. Besides, the applicants shall report the nearest police station once

in a week, on Saturday between 10 a.m. to 1 p.m.

The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Order accordingly.

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